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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,064	09/17/2003	Pang Chieh Yen	2011124	1682

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EXAMINER

CHANG, RICK KILTAE

ART UNIT	PAPER NUMBER
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3729

DATE MAILED: 12/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/665,064

Applicant(s)

YEN ET AL.

Examiner

Rick K. Chang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The inconsistency between the language in the preamble “a mechanism” and certain portions of the body of the claim such as “a substrate, a first edge, a second edge, a third edge, a fourth edge” renders the scope of the claim vague and indefinite because it is unclear if the intent is to claim either the subcombination of the “a mechanism” alone or the combination of the “a mechanism” and “a substrate, a first edge, a second edge, a third edge, a fourth edge”. The applicant is asked to please clarify what subject matter the claim is intended to be drawn to, i.e., the subcombination alone or the combination, where the language of the claim is to be amended to be consistent with this intent. Examiner is only giving patentable weight to the subcombination alone.

Claim Objections

3. Claim 6, line 3 is objected to because of the following informalities: after “flexible”, insert –element--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants

Admitted Prior Art (hereinafter referred to as APA) in view of Larson et al (US 4,936,007).

APA discloses in Fig. 3 a pin 52, a standard unit 53-55 and 49, first and second links 56-57, a third link 50, 57 is pivotally mounted to 50, and a cam 58.

APA fails to disclose a standard unit having a first standard plane and a second standard plane perpendicular and adjacent to the first standard plane and a flexible element arranged within the push-up needle unit.

Larson discloses a standard unit having a first standard plane and a second standard plane perpendicular and adjacent to the first standard plane (9) and a flexible element arranged within the push-up needle unit (23 and 25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify APA by providing a standard unit having a first standard plane and a second standard plane perpendicular and adjacent to the first standard plane and a flexible element arranged within the push-up needle unit, as taught by Larson, for the purpose of providing a universal work support and a universal clamp to reduce cost.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants

Admitted Prior Art (hereinafter referred to as APA)/Larson et al (US 4,936,007) as applied to claims 1-5 above, and further in view of Lauer et al (US 4,434,559).

APA/Larson fails to disclose a steel ball mounted before the flexible element within a push-up needle unit.

Lauer discloses in Fig. 1 a ball mounted before the flexible element within a push-up needle unit.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify APA/Larson by providing a ball mounted before the flexible element within a push-up needle unit, as taught by Lauer, for the purpose of better conforming to the shape of the work piece.

At the time the invention was made, it would have been an obvious matter of design choice to a person of ordinary skill in the art to provide a steel ball because Applicant has not disclosed that a steel ball provides an advantage, is used for a particular purpose, or solves a stated problem. It would have been obvious that in order to bend sheet metal, Lauer's ball have to be steel or something stronger.

Conclusion

7. Please provide reference numerals (either in parentheses next to the claimed limitation or in a table format with one column listing the claimed limitation and another column listing corresponding reference numerals in the remark section of the response to the Office Action) to all the claimed limitations as well as support in the disclosure for better clarity (optional). Applicants are duly reminded that a full and proper response to this Office Action that includes any amendment to the claims and specification of the application as originally filed requires that the applicant point out the support for any amendment made to the disclosure, including the claims. See 37 CFR 1.111 and MPEP 2163.06.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rick K. Chang whose telephone number is (571) 272-4564. The examiner can normally be reached on 5:30 AM to 1:30 PM, Monday through Thursday.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

A handwritten signature in black ink, appearing to be 'R. Chang', written over a horizontal line.

**RICHARD CHANG
PRIMARY EXAMINER**

RC
December 1, 2005